

Couples and legal experts testify on economic and legal impacts of Defense of Marriage Act (DOMA)

CHICAGO – Today, U.S. Representatives Mike Quigley (IL-05), Luis V. Gutierrez (IL-04), and Jan Schakowsky (IL-09) held a congressional field forum to investigate the impact of the Defense of Marriage Act (DOMA), specifically the denial of federal benefits to same-sex couples and their families in Illinois and around the country, and to review DOMA's constitutionality and current court cases. The forum was hosted by Rep. Quigley in the Chicago City Council chambers, where the Members of Congress heard testimony from numerous same-sex couples affected by DOMA, as well as national legal expert [Camilla Taylor](#) of Lambda

Legal, [Gail H. Morse](#), a tax attorney and partner at Jenner & Block, LLP in Chicago, and Alderman James Cappleman of Chicago's 46th Ward.

"It is incumbent upon us to put an unconstitutional law under the congressional microscope. Indiana officials, using the offensively-named Defense of Marriage Act, told a young grieving widow that the civil union recognized here in Illinois wasn't valid a few miles away in Indiana, and so she has no right to seek damages or peace," said **Rep. Quigley**, referring to this summer's tragic Indiana State Fair stage collapse which killed Chicago LGBT advocate Christina Santiago, among six others. "Dr. Martin Luther King said that 'the arc of the moral universe is long, but it bends toward justice.' Let us hope that while *this*

Congress may not strike down this discriminatory policy, the courts can still protect our civil rights. Our country's foundation of justice and equality depends on it."

"The main thing marriage needs defense from is an out-dated definition of marriage in American society," said **Rep. Gutierrez**. "We need laws that reflect the many varieties and shades and circumstances of the American family as it really exists and not as some narrow or archaic definition constrains it. I have worked throughout my career for more inclusive policies, since before I was even a Congressman, so I see the Respect for Marriage Act as an important part of my work on civil and human rights issues in Washington."

"It is essential that the United States of America provide full and equal marriage rights to all."

The Defense of Marriage Act is a blatantly discriminatory law which must be overturned, either through Congressional repeal or a finding in the courts," said **Rep. Schakowsky** said. "Equal treatment is a fundamental aspect of our democracy, and LGBT rights count too. Polls over the last few years have shown that the public largely agrees. The tide of public opinion is now in our favor, but the fight continues. We must keep pushing and lobbying Congress to end discrimination."

"The old saying that nothing is certain except death and taxes, is wrong when applied to same sex couples. The social security benefits accorded to the survivor of a same sex union and the tax treatment of same sex couples are among the 1,000 or so federal laws that operate within the definition of marriage that are often referenced as off limits to same sex couples," said **Gail H. Morse of Jenner & Block, LLP**

. "DOMA allows for the discriminatory treatment of same sex couples at the federal level with respect to both death and taxes making application of either to same sex couples anything but certain. This uncertainty is made greater when a state cites DOMA as a limitation on the way it can interact with its own residents."

"The so-called Defense of Marriage Act not only deprives legally married same-sex couples and their children of hundreds of vital protections," said **Camilla Taylor, Marriage Project Director for Lambda Legal**, "it brands these families as less deserving than other families, and invites discrimination by businesses, employers, in health care settings, and in schools."

Couples testifying before the panel include [Angelica Lopez and Claudia Mercado](#) and [Janean Watkins and Lakeesha Harris](#)

, both in Illinois civil unions;

[Trish and Kate Varnum](#)

, who were the named plaintiffs in the 2009 Iowa Supreme Court decision (Varnum v. Brien) that legalized same-sex marriage in the State of Iowa; and

[Grant Gochnauer and Gabriel Fontes de Faria](#)

, a bi-national couple from Chicago. Written testimony was also provided by the

Human Rights Campaign (HRC), Equality Illinois, Heartland Alliance/National Immigrant Justice Center

,
CBA LGBT Committee

, and the

LGBT Immigration Coalition

. Also in attendance were

State Representative Greg Harris, State Representative Kelly Cassidy, Alderman Tom

Tunney, Illinois Department of Human Rights Director Rocco Claps
and
City of Chicago Commissioner on Human Relations Mona Noriega.

Congressman Quigley is a member of the House Judiciary Committee where he serves on the Subcommittee on Crime, Terrorism and Homeland Security and the Subcommittee on the Constitution. He is also a member of the House Committee on Oversight and Government Reform. Congressman Quigley is an original co-sponsor of H.R. 1116, Respect for Marriage Act, which would repeal DOMA.

Congressman Gutierrez, a Member of the House Permanent Select Committee on Intelligence and the Financial Services Committee, is in his 10th term in Congress. He is the Chairman of the Congressional Hispanic Caucus' Task Force on Immigration and a co-sponsor of H.R. 1116, the Respect for Marriage Act, which would repeal DOMA.

Congresswoman Schakowsky currently serves on the Energy & Commerce Committee and the Permanent Select Committee on Intelligence. She is a vice-chair of the LGBT Equality Caucus, and is currently in her 7th term in Congress. Congresswoman Schakowsky is an original cosponsor of H.R. 1116, the Respect for Marriage Act, which would repeal DOMA.

Gail H. Morse is a tax partner and chair of the State and Local Tax Practice at Jenner & Block, LLP a national law firm headquartered in Chicago.

Lambda Legal is a national organization committed to achieving full recognition of the civil rights of lesbians, gay men, bisexuals, transgender people and those with HIV through impact litigation, education and public policy work.

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